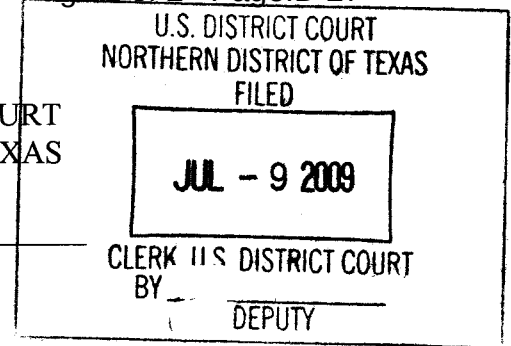


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION



REZA VAFAIYAN, PRO SE,  
AKA GHOLAMEREZA VAFAIYAN,  
AKA GHOLUMREZA VAFAIYAN,  
TDCJ-CID NO.1361129,

Plaintiff,

V. .

SMITH AND MARTIN ATTORNEYS and  
THE STEEL LAW FIRM, PC,

**Defendants.**

2:09-CV-0107

## ORDER OF DISMISSAL

Plaintiff REZA VAFAIYAN, while a prisoner confined in the Texas Department of Criminal Justice, Correctional Institutions Division, filed suit pursuant to Title 42, United States Code, section 1983 complaining against the above-referenced defendants and has been granted permission to proceed *in forma pauperis*.

On May 22, 2009, a Report and Recommendation was issued by the United States Magistrate Judge analyzing plaintiff's claims and recommending dismissal without prejudice to being re-filed in the appropriate state court or courts.

Plaintiff filed his Objections on June 9, 2009.

The Court has made an independent examination of the records in this case and has examined the Magistrate Judge's Report and Recommendation, as well as the Objections filed by the plaintiff.

The Court is of the opinion that the objections of the plaintiff should be OVERRULED and the Report and Recommendation of the United States Magistrate Judge should be ADOPTED by the United States District Court.

This Court, therefore, does OVERRULE plaintiff's objections, and does hereby ADOPT the Report and Recommendation of the United States Magistrate Judge.


IT IS THEREFORE ORDERED that this Civil Rights Complaint is DISMISSED WITHOUT PREJUDICE TO BEING RE-FILED IN THE APPROPRIATE STATE COURT OR COURTS.

LET JUDGMENT BE ENTERED ACCORDINGLY.

All pending motions are DENIED.

IT IS SO ORDERED.

SIGNED AND ENTERED this 9<sup>th</sup> day of <sup>July</sup>~~June~~, 2009.

  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE